

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**HIGHLAND SUPPLY COMPANY,
an Illinois Corporation, and
PRIMA TEK II, L.L.C., an Illinois
Limited Liability Company,**

Plaintiffs,

v.

**KLERK'S FLEXIBLE PACKAGING,
B.V., a Netherlands Corporation, f/k/a
KLERK'S PLASTIC INDUSTRIE, B.V.,**

Defendant.

No. 05-CV-482-DRH

ORDER

HERNDON, District Judge:

Before the Court is a motion submitted by Plaintiffs Highland Supply Company and Prima Tek II ("Plaintiffs") to extend all scheduling and discovery deadlines in this case by six months.¹ (Doc. 33.) Defendants Klerk's Flexible Packaging and Klerk's Plastic Industrie respond in opposition. (Doc. 34.)

This matter has been in mediation since September, 2005. During that time, little discovery appears to have been conducted. The parties have clearly been working, however, to resolve this matter. The Court finds that this is good cause for

¹ Though this motion would ordinarily be decided by United States Magistrate Judge Phillip Frazier, the Magistrate Judge assigned to this case and the Judge to which Plaintiffs' motion was initially referred, the undersigned District Judge takes it up due to the fact that Judge Frazier is currently out of the office.

an extension of the deadlines in this case. Therefore, the Court **GRANTS** Plaintiffs' motion. (Doc. 33.) All deadlines set in the parties' Joint Scheduling Order (Doc. 24) shall be **EXTENDED** by six months. All other aspects of that Order are unchanged.

The new deadlines are as follows:

1. Plaintiff's Deposition shall be taken by **December 1, 2006**.
2. Defendant's Deposition shall be taken by **December 1, 2006**.
3. Expert Witnesses shall be disclosed, along with a written report prepared and signed by the witness pursuant to **Federal Rule of Civil Procedure 26(a)(2)** as follows:

Plaintiff's expert(s): **October 14, 2006**.

Defendants' expert(s): **December 1, 2006**.

Rebuttals may be disclosed in accordance with **Rule 26(a)(2)**.

4. Depositions of expert witnesses must be taken by:

Plaintiff's expert(s): **November 15, 2006**.

Defendant's expert(s): **July 5, 2006**.

5. Discovery shall be completed by **January 7, 2007** (which date shall be no later than 115 days before the first day of the month of the presumptive trial month). Any written interrogatories or request for production served after the date of the Scheduling and Discovery Order shall be served by a date that allows the served parties the full thirty days as provided by the Federal

Rules of Civil Procedure in which to answer or produce by the discovery cut-off date.

6. All dispositive motions shall be filed by **January 24, 2007** (which date shall be no later than 100 days before the first day of the month of the presumptive trial month). Dispositive motions filed after this date will not be considered by the Court.

IT IS SO ORDERED.

Signed this 5th day of July, 2006.

/s/ David RHerndon
United States District Judge